

# Transportation Compliance Evaluation/Assistance Program

## 5. Motor Carrier Operations

Revision 1, July 2000

<b>Standard:</b> All Motor Carrier Operations are conducted in a consistent and accountable manner, following approved procedures, in compliance with the requirements of applicable international, federal, state, tribal, and local laws, rules, and regulations and DOE Orders and policy.				<b>References:</b> 40 CFR 263, 49 CFR 107, 173, 177, 178, 180 and 382-399 and 49 CFR Part 40	
Self-Assessment/Evaluation Actions		RESPONSE			Comment
		Y	N	N/A	
A. MOTOR CARRIER OPERATIONS: GENERAL (40 CFR 263, 49 CFR Parts 107, 171, 173, 177, 180, 382 through 399 and 49 CFR Part 40)					
1. Are commercial motor vehicles being operated in interstate commerce off-site? [49 CFR 390.3(a)]					
2. Does each individual involved in the management, maintenance, operation or driving of commercial motor vehicles receive instruction regarding the applicable requirements of 49 CFR Parts 382, 383, 387, and 390 through 397? [49 CFR 390.3(e)]					
3. Does each individual involved in the hiring, supervising, training, assigning or dispatching of drivers receive instruction regarding the applicable requirements of 49 CFR Parts 382, 383, 387, and 390 through 397? [49 CFR 390.3(e)]					
4. Are required records maintained at the motor carrier's principal place of business? [49 CFR 390.5 and 390.31(a)]					
5. Does the motor carrier maintain an accident register as prescribed in 49 CFR 390.15(b)?					
6. Has the motor carrier marked each self-propelled commercial motor vehicle used in interstate commerce with name of the motor carrier, city and state and US DOT motor carrier census number or ICC/DOT MC number as appropriate? [49 CFR 390.21(a)]					

## 5. Motor Carrier Operations

Revision 1, July 2000

Self-Assessment/Evaluation Actions	RESPONSE			Comment
	Y	N	N/A	
7. Has the motor carrier filed a motor carrier identification report and been assigned a US DOT number? [49 CFR 385.21(a)]				
8. Has the motor carrier registered with RSPA as a hazardous materials transporter? [49 CFR 107.608(b)]				
9. Does each motor vehicle used to transport hazardous materials carry a copy of the certificate of registration? [49 CFR 107.620(b)]				
10. If applicable, has the motor carrier registered as an EPA Hazardous Waste Transporter? [40 CFR 263.11]				
11. Does the motor carrier make immediate notification of each incident by telephone, regarding the occurrence specified in 49 CFR 171.15(a)(1) through (5)? [49 CFR 171.15(6)]				
12. Does the motor carrier report, in writing and within 30 days, using DOT Form 5800.1, the details of each incident requiring telephonic notification as specified in 49 CFR 171.15(a)(1) through (5)? [49 CFR Part 171.16(a)]				
13. Does the motor carrier report, in writing and within 30 days, using DOT Form 5800.1, details of each unintentional release of hazardous material from a package? [49 CFR 171.16(a)]				
14. Does the motor carrier report, in writing and within 30 days, using DOT Form 5800.1, details of each discharge of hazardous waste? [49 CFR Part 171.16(a)]				
15. Are transport vehicles containing Class 7 (radioactive) material shipments surveyed <u>prior to release</u> to assure that radiation levels do not exceed the requirements of 49 CFR 173.441?				
16. Does the motor carrier prohibit the transportation of hazardous materials not accompanied by a properly prepared shipping paper? [49 CFR 177.817(a)]				

## 5. Motor Carrier Operations

Revision 1, July 2000

Self-Assessment/Evaluation Actions	RESPONSE			Comment
	Y	N	N/A	
17. Do vehicles transporting Division 1.1, 1.2, or 1.3 materials have tight floors; are those parts of the interior that contact the lading lined with, or constructed of, a non-metallic material or non-ferrous material, and have an interior not likely to damage containers? [49 CFR 177.835(f)]				
18. Do vehicles transporting Class 1 explosive materials have all portions of the lading entirely within the body of the vehicle and tailgate closed (if equipped)? [49 CFR 177.835(h)]				
19. If vehicles transporting Class 1 explosive materials do not have a closed body, is the lading covered with a tarpaulin? [49 CFR 177.835(h)]				
20. If Class 1 explosive materials are transported, how does the carrier protect the Class 1 explosive materials from damage by other lading? [49 CFR 177.835(i)]				
21. Are transport vehicles used to transport Class 7 (radioactive) material surveyed after each use and not returned to service until they meet the radiation dose rate specified in 49 CFR 177.843?				
22. Does the motor carrier maintain a copy of each specification cargo tank's manufacturer's certificate? [49 CFR 180.417(a)(2)]				
23. Does the motor carrier maintain a copy of the most current specification cargo tank inspection and retest reports? [49 CFR 180.417(b)(2)]				
24. Does the motor carrier maintain a written report for each specification MC330 or MC331 after completion of each pressure test? [49 CFR 180.417(c)]				
B. CONTROLLED SUBSTANCE AND ALCOHOL USE AND TESTING [49 CFR PART 382]				
1. Has the motor carrier notified each driver before performing testing that all alcohol and controlled substances testing is required by the Federal Motor Carrier Safety Regulations? [49 CFR 382.113]				

## 5. Motor Carrier Operations

Revision 1, July 2000

Self-Assessment/Evaluation Actions	RESPONSE			Comment
	Y	N	N/A	
2. Does the motor carrier randomly select the required percentage of drivers for alcohol and controlled substances testing during each calendar year? [49 CFR 382.305(j)]				
3. Does the motor carrier ensure that random testing is unannounced and dates are spread reasonably throughout the year? [49 CFR 382.305(k)]				
4. Does the motor carrier maintain the records identified in 49 CFR 382.401(c) and (e)(2) in a secure location with controlled access? [49 CFR 382.401(a)]				
5. Does the motor carrier have a written policy concerning misuse of alcohol and use of controlled substances? [49 CFR 382.601(a)]				
6. Does the motor carrier provide and distribute educational materials and maintain the original signed receipt certifying each driver's receipt of alcohol misuse and controlled substances use educational materials and the motor carrier's policies? [49 CFR 382.601(a)]				
7. Does the motor carrier provide training for supervisors and others and require each person designated to determine whether reasonable suspicion exists to require testing receive at least 60 minutes of training on alcohol misuse and at least 60 minutes training on controlled substances use? [49 CFR 382.603]				
C. COMMERCIAL DRIVER'S LICENSE STANDARDS [49 CFR PART 383]				
1. Does the motor carrier maintain a record, for each driver-applicant issued a commercial driver's license, of previous employment information for the ten years preceding date of application? [49 CFR 383.35(c)]				
D. MINIMUM LEVELS OF FINANCIAL RESPONSIBILITY [49 CFR PART 387]				
1. As appropriate, are minimum levels of financial responsibility in effect as evidenced by a properly executed form MCS-90 or MCS-82? [49 CFR 387.7(d)]				
E. QUALIFICATIONS OF DRIVERS [49 CFR PART 391]				

## 5. Motor Carrier Operations

Revision 1, July 2000

Self-Assessment/Evaluation Actions	RESPONSE			Comment
	Y	N	N/A	
1. Does the motor carrier maintain a driver qualification file for each driver it employs? [49 CFR 391.51(a)] Does the DQF include the following:				
a. The driver's application for employment completed in accordance with 391.21?				
b. A written record with respect to each past employer who was contacted and a copy of the response by each State agency, pursuant to 391.23 involving investigation and inquiries?				
c. The certificate of driver's road test issued to the driver pursuant to 391.31(e), or a copy of the license or certificate which the motor carrier accepted as equivalent to the driver's road test pursuant to 391.33?				
d. The response of each State agency to the annual driver record inquiry required by 391.25(a)?				
e. A note relating to the annual review of the driver's driving record as required by 391.25(c)(2)?				
f. A list or certificate relating to violations of motor vehicle laws and ordinances required by 391.27?				
g. The medical examiner's certificate of his/her physical qualification to drive a commercial motor vehicle as required by 392.43(f) or a legible photographic copy of the certificate?				
h. If applicable, a letter from the Regional Director of Motor Carriers granting a waiver of a physical disqualification, if a waiver was issued under 391.49?				
i. Are driver's qualification files retained for as long as a driver is employed and for three years thereafter? [49 CFR 391.51(c)]				
F. DRIVING OF COMMERCIAL MOTOR VEHICLES [49 CFR PART 392]				
1. Does the motor carrier prohibit the scheduling or operation of any commercial motor vehicle at speeds greater than those prescribed? [49 CFR 392.6]				

## 5. Motor Carrier Operations

Revision 1, July 2000

Self-Assessment/Evaluation Actions	RESPONSE			Comment
	Y	N	N/A	
2. Does the motor carrier prohibit the operation of each commercial motor vehicle unless the cargo is properly distributed and adequately secured? [49 CFR 392.9(a)(1)]				
3. Does the motor carrier authorize the transportation of any persons not an employee? [49 CFR 392.60(a)]				
G. HOURS OF SERVICE OF DRIVERS [49 CFR PART 395]				
1. Does the motor carrier prohibit each driver from driving more than 10 hours following 8 consecutive hours off duty? [49 CFR 395.3(a)(1)]				
2. Does the motor carrier prohibit each driver from driving after having been on duty 15 hours following 8 consecutive hours off duty? [49 CFR 395.3(a)(2)]				
3. Does the motor carrier prohibit each driver from driving after having been on duty 60 hours in any 7 consecutive days or 70 hours in any 8 consecutive days? [49 CFR 395.3(b)(1) and (2)]				
4. Does the motor carrier maintain accurate and true records for 100-air mile radius drivers indicating start time, stop time, and the total number of hours the driver is on duty each day for the preceding 6 months? [49 CFR 395.7(e)]				
5. Does the motor carrier require each driver to record his/her duty status for each 24-hour period by generation of the driver's record of duty status? [49 CFR 395.8(a)]				
6. Does the motor carrier retain, with all supporting documents, each driver's records of duty status for the preceding 6 months? [49 CFR 395.8(k)]				
H. INSPECTION, REPAIR, AND MAINTENANCE [49 CFR PART 396]				
1. Does the motor carrier systematically inspect, repair, and maintain each motor vehicle subject to its control? [49 CFR 396.3(a)]				

## 5. Motor Carrier Operations

Revision 1, July 2000

Self-Assessment/Evaluation Actions	RESPONSE			Comment
	Y	N	N/A	
2. Does the motor carrier maintain a record for each motor vehicle that indicates the date and nature of inspections and maintenance scheduled to be performed? [49 CFR 396.3(b)(2)]				
3. Does the motor carrier maintain a record for each motor vehicle that indicates the date and nature of inspection, repairs, and maintenance that has been completed? [49 CFR 396.3(b)(3)]				
4. Does the motor carrier require each driver to generate a vehicle inspection report at the completion of each day's work? [49 CFR 396.11(a)]				
5. Does the motor carrier prohibit the operation of each motor vehicle until all required repairs likely to affect the safety of operation of the vehicle have been completed? [49 CFR 396.3(a)(1), 396.7(a), and 396.11(c)]				
6. Does the motor carrier retain the original of each driver's vehicle inspection report and the certification of repairs for the preceding 3 months? [49 CFR 396.11(c)(2)]				
7. Does the motor carrier require that each motor vehicle subject to its control be inspected to the minimum standard identified in appendix G of 49 CFR part 396 at least once every 12 months? [49 CFR 396.17(a) through (c)]				
8. Does the motor carrier ensure that the individual performing annual inspections meets the Inspector Qualifications? [49 CFR 396.19]				
9. Does the motor carrier ensure that the individual performing brake inspections meets the Brake Inspector Qualifications? [49 CFR 396.25]				
10. Does the motor carrier require that documentation of the last periodic (annual) inspection be carried on each motor vehicle? [49 CFR 396.17(c)]				
11. Does the motor carrier maintain records that attest to each individual's qualifications to perform periodic (annual) motor vehicle inspections? [49 CFR 396.19(b)]				

## 5. Motor Carrier Operations

Revision 1, July 2000

Self-Assessment/Evaluation Actions	RESPONSE			Comment
	Y	N	N/A	
12. Does the motor carrier maintain records that attest to each employee's qualifications to inspect, repair, or service the brakes of its commercial motor vehicles? [49 CFR 396.25(e)]				
I. TRANSPORTATION OF HAZARDOUS MATERIALS: DRIVING AND PARKING RULES [49 CFR PART 397]				
1. Does the motor carrier furnish the driver of each motor vehicle transporting Division 1.1, 1.2 or 1.3 materials a copy of 49 CFR Part 397, written accident or delay instructions, properly prepared shipping papers, and a written route plan? [49 CFR 397.19(c)]				
2. When applicable, is the motor carrier familiar with the non-radioactive hazardous materials routing designations of each state in which it operates? [49 CFR 397.67(a)]				
3. Does the motor carrier direct each driver of a motor vehicle transporting hazardous materials to operate over routes which do not go through or near heavily populated areas, places where crowds are assembled, tunnels, narrow streets, or alleys? [49 CFR 397.67(b)]				
4. Does the motor carrier direct each driver of a motor vehicle transporting a placarded quantity of Class 7 material to operate only over routes that minimize radiological risk (preferred routes)? [49 CFR 397.101(a) and (b)]				
5. Does the motor carrier direct each driver of a motor vehicle transporting a highway route controlled quantity (HRCQ) of Class 7 material to operate only over routes identified on a written route plan? [49 CFR 397.101(d)]				
6. Does the motor carrier file within 90 days, for each shipment of HRCQ Class 7 material, a written route plan and a copy of the shipping paper, and the names and addresses of the shipper, carrier, and consignee? [49 CFR 397.101(g)]				